IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1141 OF 2006
IN
FIRST APPEAL NO. 1428 OF 2006.
IN
M.A.C.T. PETITION NO. 1114 OF 1998

M/s. The New India Ass. Co. Ltd.] .. Applicant (Ori.Opp.No.2.)

Versus

1. Smt. Bhavani V.A. Krishnan & ors.] .. Respondents

Mrs. Ratna Bhargavan i/b M/s. R. Bhargavan & Associates for the applicant.

Mr. M.B. Kotak for respondents No.1 to 4.

CORAM: R.M. LODHA &
S.J. VAZIFDAR, JJ.

DATED: 17TH JULY, 2006

P.C. :

. Heard Mrs. Ratna Bhargavan, counsel for the appellant and Mr. M.B. Kotak, counsel for respondents No.1 to 4.

2. We are informed by the counsel for the appellant that pursuant to the order passed by this Court on 1st March, 2006, the entire amount of award has been deposited with the Motor Accidents Claims Tribunal, Mumbai.

3. By way of an interim measure, we pass the following order:

(i) The respondent No.1 is permitted to withdraw an amount of Rs.8,00,000/- out of the amount deposited by the insurer.

(ii) The remaining amount shall be invested in a Fixed Deposit of any Nationalized Bank, initially for a period of three years, renewable thereafter for the same period each time until the disposal of the First Appeal.

(iii) The respondent No.1 is granted liberty to apply for withdrawal of the amount that may be necessary for further education or marriage of respondent No.2 if the First Appeal is not heard at an early date.

4. Civil Application stands disposed of.

Sd/-
[R.M. LODHA, J.]

Sd/-
[S.J. VAZIFDAR, J.]